

# United States Court of Appeals

For the Eleventh Circuit

Filed at  
05-12 11:00 A.M.  
2009  
U.S. DISTRICT COURT  
Middle District of Georgia

No. 08-10107

FILED  
U.S. COURT OF APPEALS  
ELEVENTH CIRCUIT

Apr 10, 2009

THOMAS K. KAHN  
CLERK

District Court Docket No.  
01-00292-CV-HL-5

DANNY WILLIAMS,

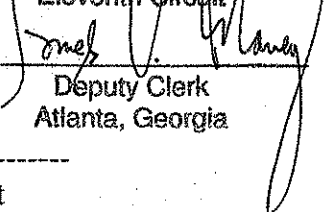
Plaintiff-Appellant,

versus

JAMES E. DONALD, Commissioner,  
Georgia Department of Corrections,  
VICTOR WALKER,

Defendants-Appellees.

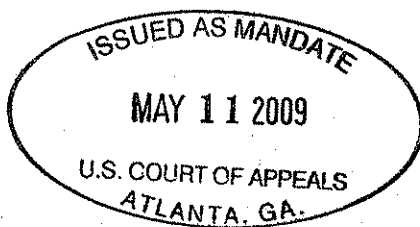
A True Copy - Attested  
Clerk U.S. Court of Appeals,  
Eleventh Circuit

By:   
Deputy Clerk  
Atlanta, Georgia

Appeal from the United States District Court  
for the Middle District of Georgia

## JUDGMENT

It is hereby ordered, adjudged, and decreed that the attached opinion included herein by reference, is entered as the judgment of this Court.



Entered: April 10, 2009  
For the Court: Thomas K. Kahn, Clerk  
By: Gilman, Nancy

[DO NOT PUBLISH]

IN THE UNITED STATES COURT OF APPEALS

FOR THE ELEVENTH CIRCUIT

\_\_\_\_\_  
No. 08-10107  
\_\_\_\_\_

FILED U.S. COURT OF APPEALS ELEVENTH CIRCUIT APR 10, 2009 THOMAS K. KAHN CLERK
---

D.C. Docket No. 01-00292-CV-HL-5

DANNY WILLIAMS,

Plaintiff-Appellant,

versus

JAMES E. DONALD, Commissioner,  
Georgia Department of Corrections,  
VICTOR WALKER,

Defendants-Appellees.

\_\_\_\_\_  
Appeal from the United States District Court  
for the Middle District of Georgia  
\_\_\_\_\_

(April 10, 2009)

Before BLACK, PRYOR and COX, Circuit Judges.

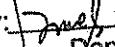
PER CURIAM:

Following oral argument in this appeal, we entered a Limited Remand Order remanding this case to the district court for the purpose of deciding whether this case

is moot because of the October 6, 2008, amendment (effective after the action was filed) to the regulation at issue. The district court has now entered an order, consented to by all parties, finding the action moot. Accordingly, it is ordered, that the final judgment granting summary judgment on the merits in favor of the Defendants is vacated and the action is remanded to the district court with instructions to dismiss the action as moot.

**JUDGMENT VACATED; REMANDED WITH INSTRUCTIONS.<sup>1</sup>**

A True Copy - Attested  
Clerk U.S. Court of Appeals,  
Eleventh Circuit

By:   
Deputy Clerk  
Atlanta, Georgia

---

<sup>1</sup>Appellees' Motion to Dismiss for Lack of Subject Matter Jurisdiction is DENIED.